

REMARKS

Pending Claims:

Kindly reconsider the claims in light of the following comments and remarks. The Examiner has suggested that there is a lack of antecedent basis for the articulated link limitation in the claim, and that as a consequence this constitutes new matter. Applicant respectfully points to Fig. 2 showing links 10, 12, 14 and 16 as set forth in the specification. Two of these are insulators and two are active electrodes thus establishing a proper basis for the use of articulated links in the claim. In this regard it is important to note that it is the links themselves that are flexible and capable of movement.

The cited references both lack this attribute. For example neither Bush nor Ideker has individual articulated links. The spiral structure shown in Bush is a continuous surface electrode shown best in Fig. 3. For these reasons neither reference is an anticipation of the claim presented.

With regard to the obviousness objection the Applicant argues that the Ideker reference is a therapeutic device where multiple electrodes are in fact utilized to deliver the pacing therapy proposed by Ideker. The Applicant's lead could not be used in such a system due to its flexibility. In a similar fashion the Bush reference shows a large area electrode in contact with a septum to provide high-energy defibrillation. This is in contrast to Applicant's invention where individual electrodes are utilized individually to determine a best site for pacing. Once the best location is identified the lead is removed, and for this reason it should be considered just a temporary device in the body and it would be replaced by a conventional pacing lead positioned at the location determined by Applicant's invention.

CONCLUSION

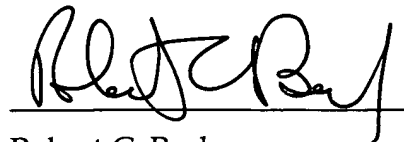
All of the claims remaining in this application should now be seen to be in condition for allowance. The prompt issuance of a notice to that effect is solicited.

Respectfully submitted,
COMEDICUS INC.

By its attorneys:

Date: _____

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A handwritten signature in black ink, appearing to read "Robert C. Beck", written over a horizontal line.

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